

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Group I claims 1 to 7 in the reply filed on March 17, 2008 is acknowledged. The traversal is on the ground(s) that the present application is a 35 U.S.C. §371 of PCT/JP2004/002866 and under PCT unity of invention rules in 37 C.F.R. §1.475(b)(1), the claims of the present application which according to applicants are directed to a product and a process specifically adapted for the manufacture of said product are considered to have unity of invention. This is not found persuasive because as set forth in the statement of the restriction requirement, the Group I process and the Group II product do not share the same special technical feature and therefore a restriction is proper, 37 C.F.R. §1.475(a). Further, the applicants' process claims are not directed to a process specifically adapted for the manufacture of the applicants' claimed product. For example, applicants' product claims are drafted in a product by process format. However, the process recited in nonelected product by process claims is not the same process as is recited in the elected process claims.

The requirement is still deemed proper and is therefore made FINAL.

***Drawings***

2. The drawings submitted September 16, 2008 are acceptable.

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***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicants' attorney, Mr. John J. Kelly, Jr, on June 2, 2008.

The application has been amended as follows:

- I. Claims 8 to 12, directed to the non-elected invention have been canceled.
- II. In claim 6, line 4, the phrase, "apparatus is based on" has been deleted and —is—has been inserted in its place.
- III. In claim 6, line 5, the word, "apparatus" has been deleted.
- IV. In claim 7, line 3, the word, "apparatus" has been deleted.

***Examiner's Statement of Reasons For Allowance***

4. The following is an examiner's statement of reasons for allowance: The primary reason for allowance is that none of the references alone or in combination teach or suggest a method comprising the step of scanning a steel sheet perpendicular to the rolling direction with a continuous wave laser beam wherein the laser is of a TEM<sub>00</sub>

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mode with an intensity profile of the laser beam in a cross-section perpendicular to the direction of beam propagation having a maximum intensity near the center of the optical axis and in that the focused beam spot diameter in rolling direction  $d$  (mm), a linear scan rate  $V$  (mm/s) of the laser beam, and an average output  $P$  (W) of the laser are in the following ranges:

$$0 < d \leq 0.2$$

$$0.001 \leq P/V \leq 0.012$$

nor the resulting improved core loss as demonstrated, for example, in Figure 10 of the applicants' application.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Sheehan whose telephone number is (571) 272-1249. The examiner can normally be reached on T-F (7:30-5:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John P. Sheehan/  
Primary Examiner  
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Jps